

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-56 are pending in the application, with claims 1, 10, 21, 22, 30, 39, 51, and 54 being the independent claims. Claims 1, 22, 39-44, and 50 are sought to be amended. New claims 51-56 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 102

Claims 1-5, 7-9, 22-25, 27-29, 39, 40, 42-45, 48, and 50

The Board has affirmed the Examiner's rejection of claims 1-5, 7-9, 22-25, 27-29, 39, 40, 42-45, 48, and 50 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,041,360 to Himmel et al. ("Himmel"). Applicant seeks to amend independent claims 1, 22, and 39 consistent with the Board's findings in the Decision. Accordingly, Applicant respectfully requests the reconsideration and withdrawal of this rejection.

Claim 1 recites, *inter alia*, "providing the frequently accessed domain names to a communication interface in a form addressed for delivery to a network gateway, the communication interface transmitting the frequently accessed domain names to the network gateway configured to cache the frequently accessed domain names in a domain name system cache." Support is found, *inter alia*, in the as-filed Specification at paras.

[0081]-[0083], [0104], and [0105], as well as FIG. 2, element 206 and FIG. 8, elements 810, 812, and 814.

As acknowledged by the Board in the Decision, Himmel (alone or in combination with Schiuma) does not teach or suggest “the claimed ‘network gateway’ capable of ‘storing the frequently accessed domain name and the corresponding IP address in the cache,’ as recited in independent claim 10.” (Decision, p. 8). In particular, neither Himmel (nor Schiuma) sends domain names for caching to a network gateway.

These features are affirmatively recited in claim 1, as amended. In particular, amended claim 1 affirmatively recites “transmitting the frequently accessed domain names *to the network gateway*.” As further recited in claim 1, the network gateway is “configured to cache the frequently accessed domain names *in a domain name system cache*.” Moreover, the frequently accessed domain names are explicitly provided “in a form addressed for delivery to [the] network gateway,” indicating that the network gateway is the intended recipient. These features are present in the body of claim 1, and are not directed merely to intended use, and therefore should be given patentable weight.

Independent claims 22 and 39 are sought to be amended to affirmatively recite similar distinguishing features. Therefore, for at least the aforementioned reasons, claims 1, 22, and 39, and their dependents, are not anticipated by Himmel.

Accordingly, Applicant respectfully requests the reconsideration and withdrawal of the rejection of claims 1-5, 7-9, 22-25, 27-29, 39, 40, 42-45, 48, and 50 under 35 U.S.C. § 102(e).

Claims 6, 26, and 41

The Board has reversed the Examiner's rejection of claims 6, 26, and 41 under 35 U.S.C. § 102(e) as allegedly being anticipated by Himmel. Applicant submits that these claims remain novel over Himmel. Accordingly, Applicant respectfully requests an indication of allowability of claims 6, 26, and 41, subject to further search by the Examiner.

Rejections under 35 U.S.C. § 103

The Board has reversed the Examiner's rejection of claims 10-21, 30-38, 46, 47, and 49 under 35 U.S.C. § 103(a) as allegedly being obvious over Himmel in view of U.S. Patent Application Publication No. 2002/0065936 to Schiuma ("Schiuma"). Applicant submits that these claims remain novel over the combination of Himmel and Schiuma. Accordingly, Applicant respectfully requests an indication of allowability of claims 10-21, 30-38, 46, 47, and 49, subject to further search by the Examiner.

New Claims

Applicant respectfully seeks entry of new claims 51-56. Support for new claims 51-56 is found in the as-filed Specification at least at paragraphs [0081]-[0086]. Applicant submits that claims 51-56 are in condition for allowance for at least the same reasons as the aforementioned independent claims. Accordingly, entry and allowance thereof is respectfully requested.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn.

Reply to Decision on Appeal of March 30, 2011


Appl. No. 10/080,671

Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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